



# UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE  
United States Patent and Trademark Office  
Address: COMMISSIONER FOR PATENTS  
P.O. Box 1450  
Alexandria, Virginia 22313-1450  
www.uspto.gov

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/077,985	02/20/2002	Nitzan Arazi	2098/11	7971

7590 07/12/2004

DR. MARK FRIEDMAN LTD.  
c/o Bill Polkinghorn  
Discovery Dispatch  
9003 Florin Way  
Upper Marlboro, MD 20772

EXAMINER

ZEWDU, MELESS NMN

ART UNIT	PAPER NUMBER
----------	--------------

2683

DATE MAILED: 07/12/2004

8

Please find below and/or attached an Office communication concerning this application or proceeding.

## Office Action Summary

Application No.

10/077,985

Applicant(s)

ARAZI ET AL.

Examiner

Meless N Zewdu

Art Unit

2683

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

### Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

### Status

- 1) ☒ Responsive to communication(s) filed on 22 April 2004.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

### Disposition of Claims

- 4) ☒ Claim(s) 1-24 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-5, 12-14 and 21-24 is/are rejected.
- 7) ☐ Claim(s) 6-11 and 15-20 is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

### Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 24 April 2002 is/are: a) ☐ accepted or b) ☒ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

### Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some \* c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
  - ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

### Attachment(s)

- |  |   |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892)  | 4) <input type="checkbox"/> Interview Summary (PTO-413)<br>Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)                                   | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152)             |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)<br>Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____  |

**DETAILED ACTION**

***Response to Amendment (A)***

1. This action is in response to the communication filed on 4/22/04.
2. Claims 1-12 are pending in this action.
3. Claims 13-24 have been added.

***Drawings***

Figure 1, which is described as "exemplary, overall communication system" in the specification (see page 15, lines 8-9) should be designated by a legend such as --Prior Art-- because only that which is old is illustrated. See MPEP § 608.02(g). A proposed drawing correction or corrected drawings are required in reply to the Office action to avoid abandonment of the application. The objection to the drawings will not be held in abeyance. Note: applicant indicates submission of a replacement of Fig. 1 with "Prior Art" labeling. Examiner has not received such a replacement figure for fig. 1, as indicated. Furthermore, applicant also indicates that figs. 6 and 7, each of which had sole figures, have now been relabeled as figs 6A, 6B and 7A, 7B, respectively in the current amendment. Examiner, again, has not received such replacement figures. An appropriate action/correction of the drawings is required.

***Claim Rejections - 35 USC § 103***

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

Claims 1, 22 and 23 are rejected under 35 U.S.C. 103(a) as being unpatentable over Farwell et al. (Farwell (EP 0 594 354 A2) in view of Takahashi et al. (Takahashi) (US 6,275,518).

**As per claim 1:** a method for detecting a mobile unit by a base station, wherein frequency-hopping is used to communicate between base station and mobile units reads on abstract; col. 2, lines 8-26), comprising:

at a base station that is connected to a mobile unit reads on '354 (see abstract; col. 2, lines 8-26; col. 3, lines 18-25, 31-40).

communicating with the mobile unit from at least one neighboring base station reads on '354 (see fig. 1; col. 4, lines 1-58, particularly lines 44-58). In fig.1, it shown that the mobile unit can communicate with neighboring base station. But, Farwell does not explicitly teach about periodically yielding a hop during which the mobile unit communicates with at least one neighboring base station, as claimed by applicant. However, in a related field of endeavor, Takahashi teaches about a hopping instruction and hopping control instruction wherein a base station and radio terminals hop to a next frequency at each hopping time (see col. 4, line 30-col. 5, line 22; col. 15, line 56-col.

Art Unit: 2683

16, line 25). Furthermore, Takahashi's frequency hopping system includes a means for calculating hopping time (see col. 18, lines 38-51). Therefore, it would have been obvious for one of ordinary skill in the art at the time the invention was made to modify the teach of Farwell with that of Takahashi for the advantage of avoiding concurrent use of hopping frequency to avoid mutual interference in a network involving a plurality of cells (see col. 3, lines 2-8).

**As per claim 22:** Farwell discloses, in a system that includes a mobile unit and a plurality of base stations, and wherein a first one of the base stations communicates with the mobile unit ((see abstract; col. 2, lines 8-26), a method for another base station to detect the mobile unit (see fig. 1; col. 4, lines 1-58, particularly lines 44-58). Aso, Farwell discloses that a mobile station/unit can communicate simultaneously with at least more than one base station (see fig. 1; abstract; col. 4, lines 1-43). But, Farwell does not explicitly teach about, the first base station periodically yielding a time interval and during said time interval that has been yielded by the first base station, at least one neighboring base station communicating with the mobile unit, as claimed by applicant. However, this feature is taught by Takahashi, the discussion and motivation, of which are similar to ones provided in the rejection of claim .

**As per claim 23:** a method wherein said communicating with the mobile unit from said at least one neighboring base station includes transmitting to the mobile unit by said at least one neighboring base station reads on '354 (see fig. 1; col. 7, lines 9-23; col. 11, line 51-col. 12, line 4).

Claim 2 is rejected under 35 U.S.C. 103(a) as being unpatentable over Farwell in view of Dent (GB 2 337 669 A).

**As per claim 2:** claim 2 recites, at neighboring base stations that are not close to each other, using the same hop to communicate with the mobile unit and at neighboring base stations which are close to one another, using different hops to communicate with the mobile unit. Farwell does not explicitly teach about In other words the feature of claim 2 is directed to frequency hops channels reuse. But, Farwell does not explicitly teach about the use of same frequency hops for far apart stations and different frequency hops for neighboring stations, as claimed by applicant. However, in a related field of endeavor, Dent teaches about a frequency hopping communication system using a technique of orthogonal offsetting to divide channels into sub-groups wherein adjacent stations use different sub-groups while non-adjacent stations use same sub-groups of orthogonal offsets (see page 6, line 1-page 7, line 2; page 18, lines 8-13; page 20, lines 20-27). Therefore, it would have been obvious for one of ordinary skill in the art at the time the invention was made to modify the teaching of Farwell with that of Dent for the advantage of reducing interference between cells using same frequencies at the same time (see page 1, lines 4-6).

Claims 3-5, 13, 14 and 24 are rejected under 35 U.S.C. 103(a) as being unpatentable over Farwell in view of Fudge (US 6,205,552 B1).

**As per claim 3:** in a wireless communication system comprising a base station connected with a mobile unit reads on '354 (see abstract; col.2, lines 8-26), a method of

Art Unit: 2683

detecting a handset by at least one base station which is waiting for the mobile unit to enter its coverage area reads on '354 (see col. 4, lines 1-9), comprising:

from the at least one base station waiting for the mobile unit to enter its coverage area reads on '354 (see col. 4, lines 1-9).

at the base station waiting for the mobile unit to enter its coverage area reads on '354 (see col. 4, lines 1-58, particularly, lines 1-9). But, Farwell does not explicitly teach about a base station connected with the mobile unit, sending a PING command to the mobile unit and receiving an ECHO reply from the mobile unit, as claimed by applicant. However, in a related field of endeavor, Fudge teaches about method and apparatus for checking the presence of a device at its address (for security purpose) using a PING command and causing the device send an ECHO response (see abstract; col.4, lines 10-20). The PING-ECHO command-response signals are used for checking the presence of a communication device in the IP network. Since both of the references are dealing with communication systems, the references are combinable as related art. Furthermore, the PING-ECHO command-response signals are digital signals that can be applied to a digital network. Therefore, it would have been obvious for one of ordinary skill in the art at the time the invention was made to add the PING command and ECHO response system to Farwell's teaching for the advantage of accurately tracking Farwell's mobile station (see col. 2, lines 7-18).

**As per claim 13:** Farwell discloses, in a wireless communication system comprising a base station connected with a mobile unit reads on '354 (see abstract; col.2, lines 8-26),

Art Unit: 2683

a method of detecting a mobile unit by at least one base station which is waiting for the mobile unit to enter its coverage area reads on '354 (see col. 4, lines 1-9), comprising:

the base station connected to with the mobile unit in the coverage area (see col. 4, lines 1-9).

at the base station waiting for the mobile unit to enter its coverage area (see col. 4, lines 1-58, particularly, lines 1-9). But, Farwell does not explicitly teach about a base station connected with the mobile unit, sending a PING command to the mobile unit and receiving an ECHO reply from the mobile unit, as claimed by applicant. However, in a related field of endeavor, Fudge teaches about method and apparatus for checking the presence of a device at its address (for security purpose) using a PING command and causing the device send an ECHO response (see abstract; col.4, lines 10-20). The PING-ECHO command-response signals are used for checking the presence of a communication device in the IP network. Since both of the references are dealing with communication systems, the references are combinable as related art. Furthermore, the PING-ECHO command-response signals are digital signals that can be applied to a digital network. Therefore, it would have been obvious for one of ordinary skill in the art at the time the invention was made to add the PING command and ECHO response system to Farwell's teaching for the advantage of accurately tracking Farwell's mobile station (see col. 2, lines 7-18).

**As per claim 4:** method, further comprising:

From the base station waiting for the mobile unit to enter its coverage area reads on '354 (col. 4, lines 1-9, lines 39-58). When the references are combined as shown in



Art Unit: 2683

the rejection of claims 3 and 13, any base station will be able to send a PING command/message during a time interval that the base station connected with the mobile unit has yield. This is because a mobile unit on the process of handoff can communicate at least with two base stations simultaneously.

**As per claim 5:** method further comprising:

at each base station receiving the ECHO response, measuring the quality of the ECHO response and reporting the quality measurements to a switching connected to the base stations reads on '354 (see col. 4, lines 1-58, particularly lines 1-9, lines 44-58). The Farwell's reference shows that a signal strength is measured and compared against a predetermined threshold (see abstract). As shown above, when the references are combined, the mobile station will be able to send ECHO signal in response to the PING command/message from a base station. Furthermore, since the PING and ECHO reply are communication signals, a base station would be able to measure the quality of the ECHO signal. In addition, a base station reporting to its switching controller about a signal condition related to a mobile unit is conventional and would have been obvious.

**As per claim 14:** the feature of claim 14 is similar to the feature of claim 5. Hence, claim 14 is rejected on the same ground and motivation as claim 5.

**As per claim 24:** method wherein the at least one base station waiting for the mobile unit to enter its coverage area starts to monitor said ECHO reply when an initial connection of the mobile unit to any one of the base stations is created reads on '354 (see abstract; fig. 1; col. 2, lines 8-21). It is shown in the rejection of claim 13 that a

Art Unit: 2683

base station can monitor/detect a mobile station/unit. Also shown is the mobile unit being able to communicate with plural base station. Hence, when the references are combined, any of the base stations can PING a mobile unit and be able to receive an ECHO reply therefrom according to the teaching of Fudge.

Claims 12 and 21 are rejected under 35 U.S.C. 103(a) as being unpatentable over Farwell in view of Fudge, as applied to claims 3 and 13 above, and further in view of Lu et al. (Lu) (US 6,212,395 B1).

**As per claim 12:** but, Farwell does not explicitly teach about a wireless communication system that comprises a wireless private branch exchange (WPBX) handling calls from mobile units comprising handsets, as claimed by applicant. However, in a related field of endeavor, Lu teaches a wireless communication system comprising wireless/cellular private branch exchange (cPBX) (see abstract; figs 5A, 12; col. 2, line 58-col. 3, line 46; col. 9, lines 36-67). Therefore, it would have been obvious for one of ordinary skill in the art at the time the invention was made to modify the teaching of the above references with that of Lu for the advantage of providing mobility management for the first plurality of/(cordless) mobile stations (see col. 3, lines 13-22).

**As per claim 21:** the feature of claim 21 is similar to the feature of claim 12. Hence, claim 21 is rejected on the same ground and motivation as claim 12.

***Allowable Subject Matter***

Claims 6-11 and 15-20 are objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

***Response to Arguments***

Applicant's arguments with respect to claims 1-12 have been considered but are moot in view of the new ground(s) of rejection.

***Conclusion***

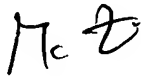
Any inquiry concerning this communication or earlier communications from the examiner should be directed to Meless N Zewdu whose telephone number is (703) 306-5418. The examiner can normally be reached on 8:30 am to 5:00 pm..

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, William Trost can be reached on (703) 308-5318. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Art Unit: 2683

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

Meless Zewdu



Examiner

07 July 2004.



WILLIAM TROST  
SUPERVISORY PATENT EXAMINER  
TECHNOLOGY CENTER 2600